

IN THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

CCN 7-00 11 59

IN RE:

APPLICATION OF MEMPHIS
NETWORK LLC FOR CCN

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)
) DOCKET NO. 99-00909
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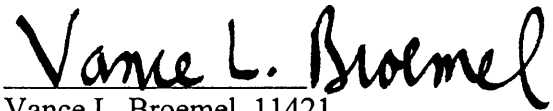
CONSUMER ADVOCATE DIVISION'S RESPONSE TO MOTION TO BIFURCATE

Comes the Office of the Attorney General & Reporter, through its Consumer Advocate Division, pursuant to the request of the Hearing Officer, and hereby responds to Time Warner's Motion to Bifurcate. For the following reasons, time Warner's Motion to Bifurcate should be denied:

1. Bifurcation would not save time or judicial resources. At the pre-hearing Conference on Tuesday, June 6, 2000, it was apparent that Memphis Networkx would ask to put on virtually its entire case in the first phase of the bifurcation, in order to set forth the context of the Settlement Agreement (the first phase is intended to determine whether the Settlement Agreement between Memphis Networkx and some but not all of the parties would be approved by the TRA). Thus, bifurcation would double the length of the hearing.
2. If the case is bifurcated, there is no way to determine how long the TRA will take to come to a decision on the first phase. Thus, it would be extremely difficult to determine when phase two should be scheduled.

3. The Settlement Agreement can be adequately addressed in a hearing on the merits of the application.

Respectfully submitted,



Vance L. Broemel, 11421
Assistant Attorney General
Consumer Advocate Division
Cordell Hull Building, 2nd Floor
425, 5th Avenue North
Nashville, Tennessee 37243-0500
(615)-741-8700

Certificate of Service

I hereby certify that a true and correct copy of the Response to Motion of Bifurcate was served on parties below via U.S. Mail, postage prepaid, this June, 7th, 2000.

Guy Hicks, Esq.
BellSouth Telecommunications, Inc.
Suite 2101
333 Commerce Street
Nashville, Tennessee 37201

Henry Walker, Esq.
Boult, Cummings, Conners & Berry
411 Union Street
Suite 1600
Nashville, Tennessee 37219

J. Maxwell Williams
Memphis Light Gas & Water
220 South Main Street
Memphis, Tennessee 38103

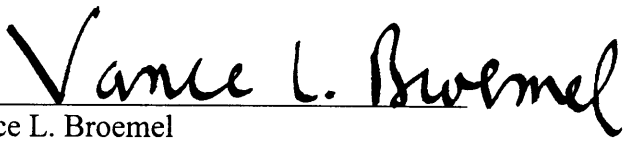
Richard Collier, Esq.
Tennessee Regulatory Authority
460 James Robertson Pkwy.
Nashville, Tennessee 37243-0505

R. Dale Grimes, Esq.
Bass, Berry & Sims
2700 First American Center
Nashville, Tennessee 37238

John Knox Walkup
Wyatt, Tarrant & Combs
1500 Union Street
Nashville, Tennessee 37219

D. Billye Sanders
Waller Lansden Dortch & Davis
511 Union Street
Nashville, Tennessee 37219

Lee J. Bloomfield
One Memphis Place
200 Jefferson Avenue, Suite 1400
Memphis, Tennessee 38103


Vance L. Broemel